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By: **Delegate Brown**  
Introduced and read first time: February 4, 2004  
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Minors - Settlement of Claims and Actions**

3 FOR the purpose of clarifying that a parent of a minor or person in loco parentis of the  
4 minor may settle a claim or action brought by the parent or person in loco  
5 parentis for the benefit of the minor; and generally relating to a settlement of  
6 certain claims or actions for the benefit of a minor.

7 BY adding to  
8 Article - Courts and Judicial Proceedings  
9 Section 6-405  
10 Annotated Code of Maryland  
11 (2002 Replacement Volume and 2003 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article - Courts and Judicial Proceedings  
14 Section 6-405  
15 Annotated Code of Maryland  
16 (2002 Replacement Volume and 2003 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Courts and Judicial Proceedings**

20 6-405.

21 A PARENT OF A MINOR OR PERSON IN LOCO PARENTIS OF THE MINOR MAY  
22 SETTLE A CLAIM OR ACTION, INCLUDING ONE BROUGHT IN THE NAME OF THE  
23 STATE, BROUGHT BY THE PARENT OR PERSON IN LOCO PARENTIS FOR THE BENEFIT  
24 OF THE MINOR.

25 [6-405.] 6-405.1.

26 (a) Any action, including one in the name of the State, brought by a next  
27 friend for the benefit of a minor may be settled by the next friend.

1 (b) If the next friend is not a parent or person in loco parentis of the child, the  
2 settlement is not effective unless approved by the parent or other person responsible  
3 for the child.

4 (c) If both parents are dead, and there is no person responsible for the care  
5 and custody of the child, the settlement is not effective unless approved by the court  
6 in which the suit was brought. Approval may be granted only on the written  
7 application by the next friend, under oath, stating the facts of the case, and why the  
8 settlement is in the best interest of the child.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
10 effect October 1, 2004.